

SANPETE COUNTY COMMISSION MEETING

July 7, 2009, 12:15 P.M.

Sanpete County Courthouse, 160 North Main, Room 303, Manti, Utah

Present are: Commission Chair Claudia Jarrett, Commissioners Spencer Cox and Steve Frischknecht, County Attorney Ross Blackham, and County Clerk Sandy Neill. Present from the media is C.R. Truitt.

Meeting is called to order by Commission Chair Claudia Jarrett.

Motion is made by Commissioner Cox to go into executive session to discuss pending litigation. The motion is seconded by Commissioner Frischknecht, and the motion passes.

EXECUTIVE SESSION

Ilene Roth, Dick Jones and K.D. Turner are present. Motion is made by Commissioner Cox to go out of executive session. The motion is seconded by Commissioner Frischknecht, and the motion passes.

The following action is taken due to the executive session. Motion is made by Commissioner Cox to approve the mutual settlement agreement and release between K.D. Turner and Dick Jones and Sanpete County. The motion is seconded by Commissioner Frischknecht, and the motion passes.

Motion is made by Commissioner Cox to take a recess. The motion is seconded by Commissioner Frischknecht, and the motion passes. Motion is made by Commissioner Cox to go back into Commission meeting. The motion is seconded by Commissioner Frischknecht, and the motion passes.

CLAIMS

Auditor Ilene Roth is present. Motion is made by Commissioner Frischknecht to approve payment of claims #320423 through #320634. The motion is seconded by Commissioner Cox, and the motion passes.

APPROVAL TO PAY UTAH'S CASTLE COUNTRY FOR BYWAY CORRIDOR MANAGEMENT PLAN UPDATE AND COORDINATOR'S WAGES

Motion is made by Commissioner Cox to approve payment to Utah's Castle Country for the byway corridor management update and the coordinator's wages in the amount of \$5,008.67. The motion is seconded by Commissioner Frischknecht, and the motion passes.

APPROVAL TO PAY LOGAN SIMPSON DESIGN FOR WORK DONE ON GENERAL PLAN

Motion is made by Commissioner Cox to approve payment to Logan Simpson Design for work done on the General Plan in the amount of \$5,348.59, with the money to be reimbursed by a CIB grant. The motion is seconded by Commissioner Frischknecht, and the motion passes.

APPROVAL TO PAY LUDLOW ENGINEERING FOR WORK DONE ON THE INDIANOLA VALLEY FIRE STATION

Motion is made by Commissioner Frischknecht to approve payment to Ludlow Engineering for work done on the Indianola Valley Fire Station in the amount of \$3,739.65. The motion is seconded by Commissioner Cox, and the motion passes.

APPROVAL TO PAY MAGLEBY MORTUARY FOR INDIGENT BURIAL OF GARY FARNSWORTH

Motion is made by Commissioner Cox to approve payment to Magleby Mortuary for the indigent burial of Gary Farnsworth in the amount of \$900.00, with instructions to the County Attorney to proceed with collections through probate. The motion is seconded by Commissioner Frischknecht, and the motion passes.

ACCEPTANCE OF BID FROM STALLINGS SHEET METAL TO INSTALL AIR CONDITIONING AT THE CENTRAL UTAH FOOD BANK

Motion is made by Commissioner Cox to approve the bid of \$4,419.00 from Stallings Sheet Metal to install air conditioning at the Central Utah Food Bank. The motion is seconded by Commissioner Frischknecht, and the motion passes.

KIMBALL & ROBERTS: AUDIT REPORT

Rick Roberts is present. He reviews the financial statements for Sanpete County for the year 2008. Motion is made by Commissioner Cox to approve the audit from Kimball and Roberts. The motion is seconded by Commissioner Frischknecht, and the motion passes.

ANITA RADDATZ WITH USU EXTENSION: UPDATE ON EXTENSION AND REQUEST TO USE EXHIBIT BUILDING ON SATURDAY, AUGUST 8, 2009 FOR 4-H

Anita Raddatz was unable to be here, and will reschedule. Motion is made by Commissioner Cox to approve use of the Exhibit Building for 4-H on August 8, 2009. The motion is seconded by Commissioner Frischknecht, and the motion passes.

REVIEW OF COURTHOUSE HOURS

John Hales and Reed Hatch are present. The Commission explains that the offices are on various schedules. The Clerk's office is open 7-6 Monday through Thursday, and 8-5 on Friday. The Treasurer's office is open the same as the clerk, except only from 8:30 - 5 on Friday. The County Attorney's office is open 8-5 Monday through Friday. The Justice Court is open 9-3 Monday through Friday. The Building Inspection department, Auditor's, Recorder's, and Assessor's offices are open from 7-6 on Monday - Thursday. All offices are closed on holidays. The extended hours on Monday through Thursday have helped the public with access to the offices, and also has helped the County with less time off requested by employees. The public has expressed concerns about not being able to record documents on Friday. Reed Hatch visited with local title companies, and has agreed to open on Fridays from 2-4 P.M. to record documents. Motion is made by Commissioner Cox to authorize extending the recorder's office hours to be open from 2-4 P.M. on Fridays, and continue the schedule as noted above until the end of 2009, as long as these additional hours do not add expense for overtime or new employees to cover the extra hours. The motion is seconded by Commissioner Frischknecht, and the motion passes.

ALMA LUND WITH EPHRAIM CITY POWER: DISCUSSION OF NEW METERING POINT

Alma Lund with Ephraim City Power is present. Ephraim City is building a substation near Walmart. Mr. Lund is requesting an approach off the county road (River Lane Road) to feed to that substation, and permission to move the metering point south 14 feet. Motion is made by Commissioner Frischknecht to approve the project as proposed. The motion is seconded by Commissioner Cox, and the motion passes.

TORI HANSEN: REQUEST FOR DONATION FOR THE FOUNTAIN GREEN SHEEP SHOW

Tori Hansen has submitted a request for donation for the Fountain Green Sheep show. The Commissioners authorize a donation to the Fountain Green sheep show in the amount of \$100.00 with the funds to come from each of the 3 Commissioner's personal donation account.

SHAWNA COLE WITH SANPETE TRADE: REQUEST TO USE THE EXHIBIT BUILDING DURING PAGEANT 2010 FOR CRAFT SHOW

Joy Ellen Mason is present in behalf of Sanpete Trade Association. She thanks the Commission for allowing the use of the exhibit building, and appreciates the help that Jeff Anderson gave them. They are now requesting the use of the Exhibit Building during pageant 2010 for a craft show. Motion is made by Commissioner Frischknecht to approve the use of the Exhibit Building by Sanpete Trade for the 2010 pageant. The fees will be determined at a later date. The motion is seconded by Commissioner Cox, and the motion passes.

CAMILLE PRICE: REQUEST FOR BLIND EXEMPTION IN BEHALF OF LEORA BAMMES FOR 2008 ON S 15131

Camille Price appears by phone to request a blind exemption in behalf of her mother, Leora Bammes. Ms. Price didn't understand that the exemption form needs to be filed yearly, so she paid one half of the taxes for 2008. Ms. Bammes later received a late notice with interest added. Ms. Bammes received the tax exemption in past years, and remains qualified for the exemption. Motion is made by Commissioner Cox to grant tax relief for Leora Bammes in the amount of \$135.20 and waive the interest on S 15131. The motion is seconded by Commissioner Frischknecht, and the motion passes.

CHRIS MICKELSON: PROPOSAL FOR A ROCK CRAWLING COURSE

Chris Mickelson is present. He reports on the expo event held a few weeks ago at the fairgrounds, and thanks the Commission for giving permission for the expo. Mr. Mickelson is requesting to leave the rock crawling course in place. The Commission recommends that he meet with the fairboard at their next meeting.

BRENT GARDNER WITH UTAH ASSOCIATION OF COUNTIES (UAC): BUREAU OF LAND MANAGEMENT (BLM) ROAD MAPPING

Brent Gardner, Adam Trupp and Mark Ward with UAC are present. Mark Ward discusses Title 1 and Title 3 funds. The Commission would like to contract with the State to house more state prisoners. Brent Gardner is concerned about contracting with the state for prisoners, and feels the County should be cautious in contracting for more. Adam Trupp discusses the state retirement program, and changes that may need to be made in the future to protect the system, including a possible increase in the retirement rates. Brent Gardner advises that there is talk of repealing the restaurant tax. Mark Ward explains that the Forest Service's position is that they won't protect private structures. They asked the Forest Service if they will allow the private landowners access to protect their own property. The Forest Service's response was that the Sheriff's office is the one to determine who will be allowed access. Sheriff Holman is present, and he concurs that it is the Sheriff's Office's responsibility. Mr. Ward appreciates the fact that Sanpete County understands this chain of command, and states there are some counties that don't understand it. Mr. Ward asks the Commission to consider which areas are a priority for cleaning up the bark beetle kill so that he can relay this information to the BLM. In order to treat it properly, it will need to be a massive project with over 100,000 acres. The forest service doesn't have the resources to take care of this. UAC will be lobbying to change a federal law to allow the forest service to enter

into stewardship programs with private contractors without being required to dedicate enough money up front to pay unrecouped startup cost if the contract is terminated early. This ties up millions of dollars during the life of the contract. Mr. Wards asks the Commission which of our areas are a priority. Basically, it's most of the property east of Highway 89. Our roadless areas are a priority, because the access is limited. Mr. Ward asks that the Commissioners consider this request, and report which areas are at the top of this list. The Commissioners mention their concern about the grasshopper problem, and it doesn't seem that the BLM is doing their part in taking care of that problem. The Commission states that the County is close to finishing identifying the roads for the BLM road mapping. The County's B and D roads have been identified, and all are open and travelable at this time.

APPROVAL OF WATER USE AGREEMENT FOR INDIANOLA VALLEY FIRE DEPARTMENT

This matter is tabled until the modified agreement comes.

SHERIFF KEVIN HOLMAN: APPROVAL OF STEP RAISES FOR THE FOLLOWING; JUSTIN AAGARD, ROBERT HENNINGSON, KENNY KIRKHAM, MARCUS LAMBERT, GARY LARSEN, JASON LIVINGSTON, ANDY LYON, JEFRE MCQUIVEY, CHAD NIELSON, GREG PETERSON, COLE YOUNG, ROBERT BRAITHWAITE, BRAD BOWN, JOHN R LEE, TYLER DONALDSON, AND JACE PETERSON

Sheriff Holman is present. He is requesting step raises for employees who have been approved by the merit commission. The Commission explains their concern with the budget, and question whether the County can afford raises at this time. Sheriff Holman states they have been careful with the budget, and have not expended in other areas, and feel that the raises are important for the morale of his staff. Sheriff Holman is hoping for more inmates, and states that the jail currently has exactly the number of state inmates that were contracted for a few years ago, and no more. The Commission would like to review this request to see if the raises can be afforded at this time. The step raises will be put on the next agenda.

APPROVAL TO NAME THE ROAD LEADING TO THE INDIANOLA VALLEY FIRE STATION

Names that have been used for this road are reviewed. The Commission will leave the name of the road Meadow View Drive.

ASSESSOR KEN BENCH: APPROVAL OF MCAT AGREEMENT WITH THE STATE OF UTAH; CORRECTION OF STEP RAISES FOR JOEL CHIDESTER AND LISA BLACK

Motion is made by Commissioner Frischknecht to approve the MCAT Agreement with the State of Utah. The motion is seconded by Commissioner Cox, and the motion passes. Motion is made by Commissioner Cox to approve the correction of the step raise for Lisa Black to \$16.45 per hour, effective in the current pay period. The motion is seconded by Commissioner Frischknecht, and the motion passes. Motion is made by Commissioner Cox to approve the correction of Joel Chidester's pay to \$16.45 retro to April 19, 2009 due to a mistake in the calculation of the step raise amount. The motion is seconded by Commissioner Frischknecht, and the motion passes.

APPROVAL OF MINUTES

Motion is made by Commissioner Frischknecht to approve the minutes from June 16, 2009 with minor corrections. The motion is seconded by Commissioner Cox, and the motion passes.

BRETT LANDON: DISCUSSION OF WIDTH REQUIREMENTS FOR A DWELLING

Brett Landon appears by phone to discuss width requirements for a dwelling. Tracy Christensen and Lee Holmstead are present. Mr. Landon states he has been working on building a cabin for quite some time. The septic tank is in place, and other requirements met. When he brought the plans to be reviewed, he found that the County has a width requirement on, and the proposed cabin is not large enough. The Commission is not in a position to make a change to the ordinance at this time. Significant work would need to be done if the County were to consider a change. The Commissioners and Lee Holmstead explain the process to make an appeal for a variance to the board of adjustments.

KAY BROWN WITH OAKER HILLS: REVIEW PHASE 3 AND NEW CCRs AND ARTICLES OF INCORPORATION

Kay Brown, Secretary; Gary Brown, President; and Kaylene Payne, Vice President of Oaker Hills Association are present. Gary Brown gives the Commission a petition asking for help with roads. The Commission directs Mr. Brown to the Special Service District for the roads to make a formal application. They are asking that the County help by enforcing codes and laws that are not being followed. Kay Brown states that a gun was fired into a trailer on June 14, 2009, and the Sheriff's office was called. No officers responded. Gary Brown states an unapproved trailer was brought in about a year and a half ago, and was red tagged. The trailer is still there, and is an eyesore. Kay Brown would like a sign posted by the County asking the property owners to spray their weeds. The property owners association does not want an amendment to the plat to add Phase 4 to the current property owners association. The association needs to comply with their articles and bylaws, and should follow the advice of their counsel to assure that compliance. The Commission suggest going to the Planning and Zoning Commission with their CC&R's before adopting them.


ASHLEY GREEN WITH THE DIVISION OF WILDLIFE (DWR): DISCUSS WILDLIFE PLAN FOR SANPETE COUNTY

Ashley Green representing the Division of Wildlife Resources is present. He reviews the wildlife plan for Sanpete County. DWR purchases land for the primary purpose of protecting wildlife. Hopefully, the animals will be drawn to their land so they can be protected in the winter. The Commissioners ask about grasshopper control on DWR property. Mr. Green asks the Commission to have the people call the DWR if there is a complaint about their handling of weeds or grasshoppers. Access is a concern because of the damage that occurs to the property. Mr. Green noticed a few Class B roads that don't show up on DWR's maps. He'll be sure to get those roads added. The Commission commit to reviewing the plan, and will make their recommendations by September 1, 2009.

Motion is made by Commissioner Cox to adjourn. The motion is seconded by Commissioner Frischknecht, and the motion passes.

The meeting is adjourned at 5:22 P.M.

ATTEST: 
Sandy Neill
Sanpete County Clerk

APPROVED: 
Claudia Jarrett
Commission Chair